

Strasbourg, 19 June 2025

T-PD(2024)47RAPAbr_EN

**CONSULTATIVE COMMITTEE OF THE CONVENTION
FOR THE PROTECTION OF INDIVIDUALS WITH REGARD TO
AUTOMATIC PROCESSING OF PERSONAL DATA**

(CONVENTION 108)

48th Plenary Meeting

Agora, Room G03
Strasbourg, 17-19 June 2025

DRAFT ABRIDGED REPORT

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- Item 1 **Opening of the meeting / Statement by the Chair and the Secretariat**
The Committee took note of the information provided by the Chair and the Secretariat.
- Item 2 **Adoption of the agenda**
The Committee adopted the agenda.
- Item 3 **Convention 108+ state of play**
The Committee took note of the information provided by the Secretariat on the signatures and ratifications of the Protocol amending Convention 108 (CETS No. 223, hereafter Convention 108+): 46 signatures out of which, 33 ratifications. Since the November 2024 plenary, Greece deposited on 5 March 2025 and Monaco on 6 March 2025 the instruments of ratification of the Amending Protocol CETS No. 223.
- The Committee held a tour de table on the state of play of the internal signature/ratification process in the Parties who have signed but not ratified Convention 108+ yet and those who have neither signed, nor ratified. It took note of the information provided by the T-PD members, and strongly encouraged all State Parties to sign and ratify Convention 108+ as soon as possible.
- As regards Costa Rica, the Committee took note of the information provided by the Secretariat and held an exchange of views on the latest developments and decide on the necessary follow up.
- Item 4 **Transborder data flows of personal data (MCC, Interoperability, other possible tools)**
The Committee took note of the presentation by the Secretariat on possible further actions regarding the transborder flows of personal data and agreed to send written comments until 3 July 2025 on the information note prepared by the secretariat in view of further discussions and decisions at the November plenary.
- It also took note on the improvement of the webpage on MCC on the CoE website, including by introducing a list of countries where the CoE MCC have been approved. The Committee congratulated the Swiss DPA in this respect for approving CoE MCC domestically. The Committee held a tour de table on the use of the adopted MCC and their domestic approval process.
- The Committee also held a discussion on the need to develop more tools or instruments to enable or facilitate the free flow of data as well as the new initiative by the Secretariat on a multilateral dialogue on data transfers and decided on the necessary follow up.
- Item 5 **Interpretation of Article 11 of modernised Convention 108**
The Committee took note of the information provided by the Secretariat, held an exchange of views on the revised document, and adopted the document with the abstention of the United Kingdom in view of its publication.
- Item 6 **Data Protection in the context of Large Language Models (LLMs)**
The Committee took note of the presentation by Isabel Barberá (Rhite) and Murielle Popa Fabre (Responsbile AI) of the joint expert report on “Data protection in the context of Large language Models) on data protection in the context of Large Language Models held an exchange of views, endorsed the joint-expert report, appointed Ms Anamarija Mladinić as rapporteur for the file and decided to develop guidelines on this topic.
- Item 7 **Work Programme 2026-2029**
The Committee took note of the information provided by the Secretariat and invited delegations to send comments by 4 July on the necessary follow-up with a view of drafting the upcoming Work Programme (2026-2029) at the November plenary.
- Item 8 **Draft Guidelines on Data Protection in the context of neurosciences**
The Committee took note of the information provided by the rapporteur, Ms Alessandra Pierucci, the experts Dr Eduardo Bertoni and Dr Marcello Ienca and the Secretariat, held an exchange of views on the draft guidelines, invited delegations to send comments on the draft document by 4 July, agreed on further amending the text based on comments received in view of its subsequent readings during next meetings.
- Item 9 **Cooperation with other Council of Europe bodies and entities**
The Committee took note of the information provided by secretary of the Council of Europe Convention on Access to Official Documents (CETS No. 205), also known as the Tromsø

Convention and of the Council of Europe Framework Convention on Artificial Intelligence and human rights, democracy and the rule of law and invited the Secretariat to look into opportunities to cooperate with those conventional committees regarding topics of common interest.

- Item 10 **Developments and activities in the field of data protection**
The Committee took note of the information provided by the participants and Secretariat, notably on the celebration of the Data Protection Day (28 January), in Brussels; participation at the Venice Privacy Symposium 2025 (Venice, 12 to 15 May) and at the CPDP conference (Brussels, 22-24 May 2025).
- Item 11 **Cooperation**
The Committee took note of the various cooperation programmes relevant to data protection and of the information provided by the Secretariat on the potential for further cooperation projects.
- Item 12 **Elections**
The Committee took note of the information provided by the Secretariat and decided to apply Article 12(d) of the Appendix to Resolution CM/Res(2021)3 on intergovernmental committees and subordinate bodies, their terms of reference and working methods, *mutatis mutandis*, to organise the practical modalities of voting in the election of the Data Protection Commissioner by secret ballot. The Committee took note of the election by the Representatives of the member States of the Council of Europe in the Committee of Ms Tamar Kaldani as the Data Protection Commissioner of the Council of Europe based on Article 15(2) of the Council of Europe Regulations on the protection of personal data and invited Ms Caroline Gloor Scheidegger, 1st Vice-Chair of the Committee to inform the Secretary General of the Council of Europe of the result of the elections.

The Committee thanked the out-going Commissioner for their outstanding contribution to the work of the T-PD and congratulated the in-coming Commissioner.
- Item 13 **Data Protection Commissioner**
The Committee took note of the information provided by the outgoing Data Protection Commissioner, Mr Jean-Philippe Walter and thanked him for his work and contributions carried out in developing the right to privacy and the protection of personal data for more than 4 decades in various functions and roles.
- Item 14 **Observers**
The Committee took note of the information provided by the observers and the Secretariat and decided to grant an observer status to the Network of African Data Protection Authorities (NADPA); Ecuador (represented by the Superintendencia de Protección de Datos Personales); Chilean Association of Professionals in Personal Data Protection and the Colombian Data Protection Authority.
- Item 15 **Next meetings**
The Committee took note of the dates of the next plenary meeting to be held on 3-5 November 2025 (49th) in Strasbourg, as well as of the next Bureau meetings on 29-30 September 2025 (64th) in Paris.
- Item 16 **Stefano Rodotà Award**
The Committee took note of the information provided by the Secretariat on the on-going preparation for the next edition of the award and decided on the necessary follow-up.
- Item 17 **Any Other Business**

APPENDIX I

ANNOTATED AGENDA

ANNOTATED AGENDA

	1. Opening of the meeting
	Statement by the Chair Statement by the Secretariat Matthias Kloth, Head of the Digital Governance and Sport Department
T-PD(2024)47RAPAbrEN Pro memoria	Abridged report of the 47 th Plenary meeting (4-6 November 2024)
T-PD-BUR(2025)63RAPAbr Pro memoria	Abridged report of the 63 rd Bureau meeting (19-20 March 2025)
T-PD(2021)WP2022-2025 Pro memoria	Work Programme of the Committee 2022-2025
TPD43(2022)7 Pro memoria	Rules of procedure
	2. Adoption of the agenda
	3. Convention 108+ State of play
	Information provided by the Secretariat: Required action: The Committee will take note of the information provided by the Secretariat and will hold a tour de table inviting those Parties who have signed but not ratified Convention 108+ yet, as well as those who have neither signed, nor ratified to present the state of play of their domestic processes.
<ul style="list-style-type: none"> • Consolidated text of the modernised Convention ETS No. 108 • Explanatory report • Amending protocol CETS No.223 	<ul style="list-style-type: none"> • Convention 108+: chart of signatures and ratification • Convention 108: chart of signatures and ratifications
T-PD(2020)08Rev - Expert Report	Costa-Rica Required action: The Committee will take note of the information provided by the Secretariat, will hold an exchange of views on the latest developments and decide on the necessary follow up.
	4. Transborder flows of personal data (MCC, Interoperability, other possible tools)
Compendium of the Model Contractual Clauses and list of countries where they have been approved	Presentation by the Secretariat Required action: The Committee will take note of the presentation by the expert (TBC) and the information provided by the Secretariat and will hold a tour de table on the use of the approved MCC. The Committee will also hold a discussion on the need to develop more tools or instruments to enable or facilitate the free flow of data as well as the new initiative by the Secretariat on a multilateral dialogue on data transfers and will decide on the necessary follow up.
	5. Interpretation of Article 11 of modernised Convention 108

T-PD(2021)7rev4	<p>Information provided by the Secretariat</p> <p><u>Required action:</u> The Committee will take note of the information provided by the Secretariat on the draft Guidelines, will hold an exchange of views, and will be invited to adopt the document in view of its publication.</p>
	6. Data protection in the context of Large language Models (LLMs)
	<p>Presentation by Isabel Barberá (Rhite) and Murielle Popa Fabre (Responsible AI) of the joint expert report on “Data protection in the context of Large language Models”.</p> <p><u>Required action:</u> The Committee will take note of the presentation by the experts, will hold an exchange of views and decide on the necessary follow-up.</p>

	7. Work Programme 2026-2029
	Information provided by the Secretariat <u>Required action:</u> The Committee will take note of the information by the Secretariat, hold an exchange of views on the state of play of the implementation of the current Work program and decide on the necessary follow-up with a view of identifying possible topics for the upcoming Work Programme 2026-2029.
	8. Draft Guidelines on Data Protection in the context of neurosciences
T-PD(2024)2rev1 Expert report CDBIO report on Neurotechnologies and human rights framework: do we need new rights?	Information and the presentation provided by the rapporteur and Dr Eduardo Berton (American University Washington College of Law) and Prof Marcello Lenca (Technical University of Munich) <u>Required action:</u> The Committee will take note of the information provided by the rapporteur and the experts, will hold an exchange of views on the draft guidelines presented and decide on the necessary follow-up
	9. Cooperation with other Council of Europe bodies and entities
	Information provided by the Secretariat <u>Required action:</u> The Committee will take note of the information provided by the Secretariat.
	10. Developments and activities in the field of data protection
	Information provided by the Secretariat <u>Required action:</u> The Committee will take note of the information provided by the participants and the secretariat and decide on the necessary follow-up.
	11. Cooperation
	The Secretariat will provide information on on-going cooperation projects. <u>Required action:</u> The Committee will take note of the information provided by the secretariat
	12. Elections
CM Resolution on the new Regulations on the Protection of Personal Data	Elections of the Council of Europe Data Protection Commissioner <u>Required action:</u> The representatives of the member States of the Council of Europe in the Committee will proceed to the elections of the Council of Europe Data Protection Commissioner
	13. Data Protection Commissioner
CM Resolution on the new Regulations on the Protection of Personal Data	Information provided by the Data Protection Commissioner <u>Required action:</u> The Committee will take note of the information provided by the outgoing Data Protection Commissioner
	14. Observers
List of Observers T-PD(2018)04Rev3 - State of play and admission criteria <i>Pro memoria</i>	Information provided by the observers and the Secretariat <u>Required action:</u> The Committee will take note of the information provided by observers and the Secretariat, hold an exchange of views and decide on the observer status requests received.

	15. Next meetings
	<u>Plenary meetings:</u> 49 th Plenary: 3-5 November 2025 Bureau meetings: 64 th Bureau: 29-30 September 2025, Paris <u>Required action:</u> The Committee will take note of the dates of the forthcoming meetings.
	16. Stefano Rodotà Award
Stefano Rodotà Award	Information provided by the Secretariat <u>Required action:</u> The Committee will take note of the information provided by the Secretariat on the on-going preparation for the next edition of the award and decide on the necessary follow-up.
	17. Any Other Business

APPENDIX II

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

MEMBER STATES OF THE COUNCIL OF EUROPE / ETATS MEMBRES DU CONSEIL DE L'EUROPE

ALBANIA / ALBANIE

Mr Besnik DERVISHI – representative/répresentant

Commissioner for Personal Data Protection

Mrs Pjerina MEMA – deputy/suppléante

Director General, Personal Data Protection Department

ANDORRA / ANDORRE

No representative / Pas de représentant

ARGENTINA / ARGENTINE

Mrs. Beatriz DE ANCHORENA - representative/représentante – Chair/ Présidente

Director of Argentina National Authority, Access to Public Information Agency (AAIP)

Mrs. Violeta PAULERO – deputy/suppléante

Director of Personal Data Protection, Access to Public Information Agency (AAIP)

ARMENIA / ARMÉNIE

No representative / Pas de représentant

AUSTRIA / AUSTRICHE

Mrs. Stefanie DÖRNHÖFER - representative/représentante

Deputy Head, Directorate for Data Protection, Federal Ministry of Justice

AZERBAIJAN / AZERBAÏDJAN

No representative / Pas de représentant

BELGIUM / BELGIQUE

No representative / Pas de représentant

BOSNIA AND HERZEGOVINA / BOSNIE-HERZÉGOVINE

Mr. Dragoljub RELJIC – representative/représentant

Director, Personal Data Protection Agency

BULGARIA / BULGARIE

Mr. Tsvetelin SOFRONIEV – representative / représentant

Chairman of the Commission for Personal Data Protection (CPDP)

Mrs. Kristina RADKOVA-STANEVA – deputy/suppléante

Director of the Legal Affairs and International Cooperation Directorate, Commission for Personal Data Protection (CPDP)

CABO VERDE / CAP VERT

Mr. Faustino VARELA MONTEIRO – representative/représentant

President, National Commission of Data Protection

CROATIA / CROATIE

No representative / Pas de représentant

CYPRUS / CHYPRE

No representative / Pas de représentant

CZECHIA / TCHEQUIE

Mrs. Eva SEDLOŇOVÁ – representative/représentante

Senior Counsel, Department of Legal Affairs and Coordination, Office of Personal Data Protection

DENMARK / DANEMARK

No representative / Pas de représentant

ESTONIA / ESTONIE

Mrs. Pille LEHIS – representative/représentante

Director General, Estonian Data Protection Inspectorate

Mrs. Kristi VÄRK – deputy/suppléante

Head of the Data Protection Law Division, Ministry of Justice

FINLAND / FINLANDE

Mrs. Virpi KOIVU – representative/représentante, Bureau member / membre du Bureau

Senior Ministerial Adviser, (Data Protection Affairs), Department for Democracy and Public Law, EU Law and Data Protection, Ministry of Justice

FRANCE

Mrs. Emilie BRUNET - representative/représentante

Cheffe du bureau de la protection des données et du numérique du ministère de la Justice.

Mrs. Marine REVEL – adviser/conseillère

Juriste au service des affaires européennes et internationales de la CNIL

Mrs. Inès SAINT-JOLY – adviser/conseillère

Consultante juridique à la Sous-direction des droits de l'Homme du ministère de l'Europe et des affaires étrangères.

GEORGIA / GÉORGIE

Mrs. Lela JANASHVILI – representative/représentante

President of the Personal Data Protection Service

GERMANY / ALLEMAGNE

Mrs. Elsa MEIN – representative/représentante

Data Protection (V II 4), Federal Ministry of the Interior, Building and Community (BMI)

Mr. Stefan NIEDERER – adviser/conseiller

The Federal Commissioner for Data Protection and Freedom of Information - Division 14 - European and International Affairs

GREECE / GRÈCE

No representative / Pas de représentant

HUNGARY / HONGRIE

Mr. Tamás János BENDIK – deputy/suppléant

General vice-president, National Authority for Data Protection and Freedom of Information (NAIH)

ICELAND / ISLANDE

No representative / Pas de représentant

IRELAND / IRLANDE

No representative / Pas de représentant

ITALY / ITALIE

Mrs. Alessandra PIERUCCI – representative/représentante – Bureau member / membre du Bureau

Garante per la protezione dei dati personali

LATVIA / LETTONIE

No representative / Pas de représentant

LIECHTENSTEIN

Mrs. Julia STÜTZ – deputy/suppléante

Deputy Data Protection Commissioner, Data Protection Authority

LITHUANIA / LITUANIE

No representative / Pas de représentant

Luxembourg

Mrs. Angeliki XINTARA - representative/représentante

Juriste, Protection des données, Service des médias, de la connectivité et de la politique numérique, Ministère d'État

Mr. Victor BOJKO – adviser/conseiller

Chargé aux relations européenne et internationales, Commission nationale pour la protection des données

MALTA / MALTE

No representative / Pas de représentant

MEXICO / MEXIQUE

No representative / Pas de représentant

MONACO

Mrs. Estelle SOURMAILLE – Representative/répresentante

Chef de Section, Déléguée à la protection des données, Secrétariat Général du

Gouvernement

MONTENEGRO

No representative / Pas de représentant

MOROCCO / MAROC

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NETHERLANDS / PAYS-BAS

No representative / Pas de représentant

NORTH MACEDONIA / MACEDOINE DU NORD

Mrs. Elena VELJANOVSKA – deputy/suppléante

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No representative / Pas de représentant

REPUBLIC OF MOLDOVA / RÉPUBLIQUE DE MOLDOVA

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Director, National Center for the Protection of Personal Data

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ROMANIA / ROUMANIE

No representative / Pas de représentant

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

No representative / Pas de représentant

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Mrs . Patrizia GIGANTE – representative/représentante

Vice-Présidente de l'Autorité de Protection des Données de la République de Saint-Marin

SENEGAL

Mr. Ousmane THIONGANE – representative/représentant- Bureau member / membre du Bureau

Présidente, Commission de protection des données personnelles (CDP)

Mr. Moustapha BA – deputy/suppléant

Commissaire à la CDP

SERBIA / SERBIE

Mr. Milan MARINOVIĆ - representative/représentant

Commissioner for information of public importance and personal data protection

Mrs. Sanja UNKOVIĆ – deputy/suppléante

Deputy commissioner for information of public importance and personal data protection

SLOVAKIA / SLOVAQUIE

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Office for Personal Data Protection of the Slovak Republic

SLOVENIA / SLOVÉNIE

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Personal Data Protection Advisor, Information Commissioner

SPAIN / ESPAGNE

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International Data Free Flows and Trade, International Data Unit, Department for Digital, Culture, Media and Sports

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- Mr. Jorge Pasarín

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- Mr. Sami MOHAMMED

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- Mrs. Nafissatou KEPPA

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- Mr. Georges OBOLO

Israel / Israël

- Mrs. Narmin BARHUM
- Mrs. Sharon AZARYA

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EUROPEAN COMMISSION / COMMISSION EUROPÉENNE

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- Mrs. Michèle DUBROCARD – Representative/répresentante

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Mr. Marcello IENCA, School of Medicine, Technical University of Munich.

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DATA PROTECTION COMMISSIONER / COMMISSAIRE A LA PROTECTION DES DONNEES

Mr Jean-Philippe WALTER

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